

REMARKS/ARGUMENTS

Claims 14 through 40 are pending in this application.

Claims 17, 21-23, and 27-40 are withdrawn from consideration.

The Office Action rejects claims 14, 15 and 18 through 20 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Office Action asserts that based upon the description, at page 6, lines 4-24, "perforations and depressions are two different features" and "[t]here is simply no support for perforations in the form of slits, pin-holes, etc. having at least two different diameters."

Claims 14, 15 and 18 through 20 include the feature of a plurality of apertures that have at least two different diameters through the domed portion of a vent disc. Support for this feature is found throughout this application, as well as the parent application (U.S. Patent No. 6,053,342), which was incorporated by reference. For example, the preferred embodiment shown in FIG. 2 describes slits 18 with dish-like depressions 20. The dish-like depressions 20 would have at least two different diameters through the domed portion of the vent disc.

The use of other shapes for the depressions is also disclosed, such as, for example, conical, which would have at least two different diameters through the domed portion of the vent disc. (page 10, lines 32-33). Additionally, the slits 18 can be pin-type piercings and the depressions can have other

shapes, such as, for example, cylindrical (page 10, lines 6-7; 32-33), which would again provide at least two different diameters through the domed portion of the vent disc. An aperture is defined by Webster's II New College Dictionary (2001) as "an opening, as a hole, gap, or slit." In the preferred embodiment in FIG. 2, the aperture can be the opening through the domed shaped portion of the vent disc, which would include both the slit 18 and the depression 20.

Moreover, the disclosure contemplates alternative shapes for slits 18, as described in U.S. Patent No. 6,053,342:

The perforations 24 can be pinpoint (i.e., circular) perforations or small slit perforations, or can be any other resealable configuration. (col. 3, lines 37-39).

Such alternative shapes for slits 18 could have at least two different diameters through the domed portion of the vent disc.

The Office Action rejects claims 14 through 16 under 35 U.S.C. §102(b) as being anticipated by Greenwood. The Office Action's rejection is based upon the embodiment of Figures 14 through 18, and, in particular, Figure 17 of Greenwood.

Applicants submit that Greenwood fails to disclose or even suggest the features of claim 14 of a plurality of apertures with each of the centerlines of the apertures being coincident to a radius that forms a concave curvature of the domed portion of the vent disc or the features of claim 16 of each of the centerlines of a plurality of depressions being coincident with a radius that forms a concave curvature of the domed portion and each of the centerlines of the plurality of perforations being

coincident to a corresponding centerline of one of the plurality of depressions.

Applicants' geometric dissection of Figure 17 shows that the one and only centerline of aperture 73 is not coincident to the radius that forms the concave curvature of the domed portion. The geometric dissection of Figure 17 is based upon the specification of Greenwood that makes clear that domed region 72 is a "segment of a spherical curvature." (Greenwood col. 8, lines 45-52). As such, Applicants' Attorney previously drew the radius of curvature for the spherical segment using a compass according to geometric principles, i.e., determining the center point for the spherical segment and drawing the radius of curvature therefrom.

The Office Action asserts that Greenwood teaches "radii [that] are each perpendicular to a tangent of the concave curvature." However, the geometric dissection shows otherwise.

The Office Action further asserts that the "derivation of the additional line provided by applicants in their exhibit to show a different radius is not understood." While the Office Action has simply surmised that Figure 17 must be showing the centerline of aperture 73 coincident to the radius of curvature of the domed portion, this conclusion is wrong. Thus, there is no "additional line" being derived in Applicants' exhibit but rather there is the one and only radius of curvature (corresponding to, but non-coincidental with, aperture 73) being shown in the exhibit.

The Greenwood aperture 73 is formed by a straight pin puncture through the diaphragm 72 in the apex region of each

hemispherical recess 74. There is a distinction between the apex and the apex region, where the latter is an indefinite area as defined by the Webster's II New College Dictionary (2001). The lack of precision in puncturing the recess 74 further establishes that not only does Greenwood fail to disclose the centerlines being coincident with the radius of curvature, but that Greenwood does not even suggest these features of claims 14 and 16.

The Office Action asserts that this argument is not understood because the "apex is clearly in the apex region." This assertion fails to comprehend that the radius of curvature of the domed shaped portion in Fig. 17 of Greenwood must pass precisely through the apex of the hemispherical recess. If it passes slightly outside of the apex but still in the "apex region" then the aperture is not coincident with the radius of curvature, which is shown in Applicants' exhibit. The fact that Greenwood uses "pin punctures" to do each of these apertures by hand is completely consistent with the fact that Greenwood fails to disclose the centerlines of the apertures or perforations being coincident with the radius of curvature of the domed shaped portion. The Office Action's equating of an "apex" with an "apex region" contradicts the definition of a region as described above.

Claims 15, 18-20, and 24-26 depend from claims 14 and 16, respectively, and, thus, are also not anticipated or obvious in view of Greenwood.¹

¹ The Office Action objects to claims 18-20 and 24-26 as depending from a rejected claim, but asserts that these claims are allowable if rewritten into independent form. For the reasons described above with respect to claims 14 and 16, claims 18-20 and 24-26 are allowable in dependent form.

In view of the foregoing, applicants respectfully submit that all claims present in this application patentably distinguish over the cited prior art, namely Greenwood. Accordingly, applicants respectfully request favorable reconsideration and withdrawal of the rejections of the claims. Also, applicants respectfully request that this application be passed to allowance.

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